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7
8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **OAKLAND DIVISION**

11 IN RE COLLEGE ATHLETE NIL
12 LITIGATION

13 Case No. 4:20-cv-03919-CW

14
15 **NOTICE OF WITHDRAWAL OF
OBJECTION TO PLAINTIFFS'
MOTION FOR PRELIMINARY
APPROVAL BY TAMENANG
CHOH AND GRACE KIRK, ON
BEHALF OF A PROPOSED CLASS
OF IVY LEAGUE ATHLETES**

16
17 Hon. Claudia Wilken

1 **TO THE COURT, ALL PARTIES, AND COUNSEL OF RECORD:**

2 In light of the parties' clarification that the Settlement Agreement is not intended to
3 release, and does not release, the claims currently raised in the Complaint in *Choh v. Brown*
4 *University et al.*, No.3:23-cv-305 (D. Conn.) ("Choh"), and the commitment by the parties to
5 amend the settlement notice documents to make this distinction clear for class members, Mr.
6 Choh and Ms. Kirk withdraw their objection to the Settlement Agreement.

7 With the court's permission, Counsel for Choh and Kirk still intend to attend the
8 September 5, 2024 hearing to answer any questions the Court may pose.

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10 Dated: September 3, 2024

BERGER MONTAGUE PC

11 /s/ Joshua P. Davis

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13 Hope Brinn (SBN 338508)

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23 and Grace Kirk (and the Choh proposed class)*

CERTIFICATE OF SERVICE

I hereby certify that on September 3, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record registered for electronic filing.

/s/ Joshua P. Davis
Joshua P. Davis